

Please type a plus sign (+) inside this box → ☒**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Applicati n Numb r	10/619,216
Filing Date	July 14, 2003
First Named Invent r	Verard, et al.
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	5074A-000060/CPA

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1449 Form (15 sheets); return postcard.
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Richard W. Warner	Reg. No.	38,043
Signature					
Date	Oct. 2, 2003				

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Richard W. Warner		
Signature		Date	Oct. 2, 2003



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/619,216
Filing Date: July 14, 2003
Applicant: Hunter, et al.
Group Art Unit: 3739
Examiner: To Be Assigned
Title: NAVIGATION SYSTEM FOR CARDIAC THERAPIES
Attorney Docket: 5074A-000060/CPA

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. ___ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number
10/299,969

U.S. Filing Date
November 19, 2002

C. ___ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ___ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ___ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ___ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ___ See the attached foreign patent office communication from a counterpart foreign application:

2. X English translations are provided for:

WO 88/09151 Abstract, WO 91/04711 Abstract, EP 0 581 704 B1 equivalent to U.S. 5,447,154, French 2417970 equivalent to U.S. 4,418,422.

3. X Other:

German Patent DE 3042343A1 appears to disclose a system for locating an object in space.

An English Abstract or translation is provided for Other Documents reference designations 39, 44, and 59.

Other Documents reference designation 53, Sautot "Vissag PEDICULAIRE ASSISTE PARORDINATEUR" appears to disclose a fluoroscopic image guidance system.

C. ___ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ___ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ___ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ___ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ___ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ___ 37 C.F.R. § 1.97(c): (check only one box)

• before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ___ See the certification below. No fee is required.

C. ____ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.


The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: Oct. 2, 2003

By: 
Richard W. Warner
Reg. No. 38,043

HARNESS, DICKEY & PIERCE, P.L.C.
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Bloomfield Hills, Michigan 48303
(248) 641-1600



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 15

ATTORNEY DOCKET No.	SERIAL No.
5074A-000060/CPA	10/619,216
APPLICANT	
Verard, et al.	
FILING DATE	GROUP
July 14, 2003	To Be Assigned

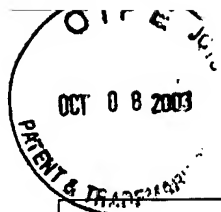
U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		Re. 35,025	08/1995	Anderton		
2.		1,576,781	03/1926	Phillips		
3.		1,735,726	11/1929	Bornhardt		
4.		2,407,845	09/1946	Nemeyer		
5.		2,650,588	09/1953	Drew		
6.		2,697,433	12/1954	Sehnder		
7.		3,016,899	01/1962	Stenvall		
8.		3,017,887	01/1962	Heyer		
9.		3,061,936	11/1962	Dobbeleer		
10.		3,073,310	01/1963	Mocarski		
11.		3,294,083	12/1966	Alderson		
12.		3,367,326	02/1968	Frazier		
13.		3,577,160	05/1971	White		
14.		3,702,935	11/1972	Carey et al.		
15.		3,704,707	12/1972	Halloran		
16.		3,941,127	03/1976	Froning		
17.		4,037,592	07/1977	Kronner		
18.		4,052,620	10/1977	Brunnett		
19.		4,117,337	09/26/1978	Staats		
20.		4,202,349	05/1980	Jones		
21.		4,358,856	11/09/1982	Stivender et al.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
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(Use several sheets if necessary)

Sheet 2 of 15

ATTORNEY DOCKET NO.

SERIAL NO.

5074A-000060/CPA

10/619,216

APPLICANT

Verard, et al.

FILING DATE

GROUP

July 14, 2003

To Be Assigned

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,368,536	01/1983	Pfeiler		
23.		4,403,321	09/1983	DiMarco		
24.		4,418,422	11/1983	Richter et al.		
25.		4,485,815	12/1984	Amplatz		
26.		4,543,959	10/01/1985	Sepponen		
27.		4,621,628	11/1986	Bludermann		
28.		4,625,718	12/1986	Olerud et al.		
29.		4,651,732	03/24/1987	Frederick		
30.		4,653,509	03/1987	Oloff et al.		
31.		4,706,665	11/17/1987	Gouda		
32.		4,722,056	01/26/1988	Roberts et al.		
33.		4,722,336	02/1988	Kim et al.		
34.		4,727,565	02/23/1988	Ericson		
35.		4,737,921	04/12/1988	Goldwasser et al.		
36.		4,750,487	06/1988	Zanetti		
37.		4,771,787	09/20/1988	Wurster et al.		
38.		4,791,934	12/20/1988	Brunnett		
39.		4,797,907	01/1989	Anderton		
40.		4,803,976	02/1989	Frigg et al.		
41.		4,821,206	04/11/1989	Arora		

Examiner:

Date Considered:

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FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
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Sheet 3 of 15

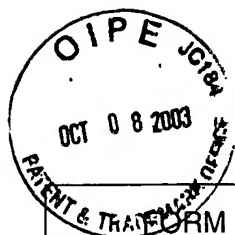
ATTORNEY DOCKET NO.	SERIAL No.
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July 14, 2003	To Be Assigned

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		4,845,771	07/1989	Wislocki et al.		
43.		4,905,698	03/1990	Strohl, et al.		
44.		4,991,579	02/12/1991	Allen		
45.		5,013,317	05/1991	Cole et al.		
46.		5,027,818	07/02/1991	Bova et al.		
47.		5,030,222	07/1991	Calandruccio et al.		
48.		5,031,203	07/1991	Trecha		
49.		5,042,486	08/1991	Pfeiler, et al.		
50.		5,059,789	10/22/1991	Salcudean		
51.		5,079,699	01/07/1992	Tuy et al.		
52.		5,094,241	03/10/1992	Allen		
53.		5,097,839	03/24/1992	Allen		
54.		5,107,839	04/28/1992	Houdek et al.		
55.		5,107,843	04/1992	Aarnio, et al.		
56.		5,118,845	09/2000	Simon, et al.		
57.		5,119,817	06/09/1992	Allen		
58.		5,142,930	09/01/1992	Allen et al.		
59.		5,178,164	01/12/1993	Allen		
60.		5,178,621	01/1993	Cook et al.		
61.		5,186,174	02/1993	Schlondorff et al.		

Examiner:

Date Considered:

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FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
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Sheet 4 of 15

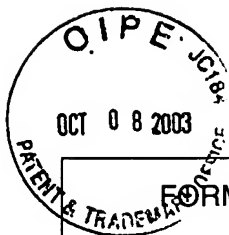
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U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		5,198,877	03/30/1993	Schulz		
63.		5,211,164	05/18/1993	Allen		
64.		5,211,165	05/1993	Dumoulin, et al.		
65.		5,212,720	05/1993	Landi et al.		
66.		5,219,351	06/1993	Teubner et al.		
67.		5,233,990	08/1993	Barnea		
68.		5,249,581	10/1993	Horbal et al.		
69.		5,251,127	10/1993	Raab		
70.		5,295,483	03/22/1994	Nowacki et al.		
71.		5,305,203	04/1994	Raab		
72.		5,309,913	05/10/1994	Kormos et al.		
73.		5,320,111	06/1994	Livingston		
74.		5,333,168	07/1994	Fernandes et al.		
75.		5,368,030	11/29/1994	Zinreich et al.		
76.		5,383,454	01/24/1995	Bucholz		
77.		5,389,101	02/1995	Heilbrun et al.		
78.		5,399,146	03/21/1995	Nowacki et al.		
79.		5,400,384	03/1995	Fernandes et al.		
80.		5,402,801	04/04/1995	Taylor		
81.		5,408,409	04/1995	Glassman et al.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
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Sheet 5 of 15

ATTORNEY DOCKET No.	SERIAL No.
5074A-000060/CPA	10/619,216
APPLICANT	
Verard, et al.	
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July 14, 2003	To Be Assigned

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
82.		5,426,683	06/1995	O'Farrell, Jr., et al.		
83.		5,426,687	06/1995	Goodall et al.		
84.		5,427,097	06/1995	Depp		
85.		5,444,756	08/1995	Pai et al.		
86.		5,446,548	08/1995	Gerig et al.		
87.		5,447,154	09/05/1995	Cinquin et al.		
88.		5,448,610	09/1995	Yamamoto et al.		
89.		5,478,341	12/1995	Cook et al.		
90.		5,478,343	12/1995	Ritter		
91.		5,483,961	01/16/1996	Kelly et al.		
92.		5,490,196	02/06/1996	Rudich et al.		
93.		5,494,034	02/27/1996	Schlondorff et al.		
94.		5,494,034	02/1996	Schlondorff et al.		
95.		5,503,416	04/1996	Aoki et al.		
96.		5,515,160	05/07/1996	Schulz et al.		
97.		5,517,990	05/21/1996	Kalfas et al.		
98.		5,531,227	07/02/1996	Schneider		
99.		5,531,520	07/02/1996	Grimson et al.		
100.		5,568,809	10/29/1996	Ben-haim		
101.		5,571,083	11/1996	Lemelson		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
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Sheet 6 of 15

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5074A-000060/CPA

SERIAL NO.

10/619,216

APPLICANT

Verard, et al.

FILING DATE

July 14, 2003

GROUP

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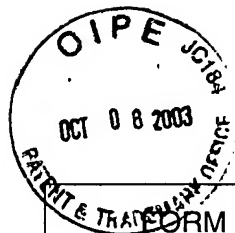
U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
102.		5,572,999	11/12/1996	Funda et al.		
103.		5,583,909	12/1996	Hanover		
104.		5,588,430	12/31/1996	Bova et al.		
105.		5,592,939	01/1997	Martinelli		
106.		5,596,228	01/1997	Anderton et al.		
107.		5,603,318	02/1997	Heilbrun et al.		
108.		5,617,462	04/1997	Spratt		
109.		5,617,857	04/08/1997	Chader et al.		
110.		5,619,261	04/1997	Anderton		
111.		5,622,170	04/22/1997	Schulz		
112.		5,627,873	05/1997	Hanover et al.		
113.		5,630,431	05/20/1997	Taylor		
114.		5,638,819	06/17/1997	Manwaring et al.		
115.		5,642,395	06/1997	Anderton et al.		
116.		5,647,361	07/15/1997	Damadian		
117.		5,662,111	09/02/1997	Cosman		
118.		5,664,001	09/1997	Tachibana et al.		
119.		5,676,673	10/14/1997	Ferre et al.		
120.		5,682,886	11/04/1997	Delp et al.		
121.		5,690,108	11/1997	Chakeres		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
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Sheet 7 of 15

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5074A-000060/CPA	10/619,216
APPLICANT	
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FILING DATE	GROUP
July 14, 2003	To Be Assigned

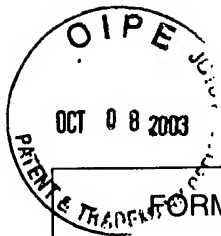
U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
122.		5,695,500	12/09/1997	Taylor et al.		
123.		5,695,501	12/09/1997	Carol et al.		
124.		5,711,299	01/27/1998	Manwaring et al.		
125.		5,715,836	02/10/1998	Kliegis et al.		
126.		5,748,767	05/1998	Raab		
127.		5,749,362	05/12/1998	Funda et al.		
128.		5,755,725	05/26/1998	Druais		
129.		5,769,789	06/23/1998	Wang et al.		
130.		5,769,861	06/1998	Vilsmeier		
131.		5,772,594	06/1998	Barrick		
132.		5,795,294	08/18/1998	Luber et al.		
133.		5,799,055	08/1998	Peshkin et al.		
134.		5,800,535	09/01/1998	Howard, III		
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140.		5,834,759	11/10/1998	Glossop		
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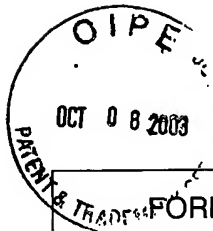
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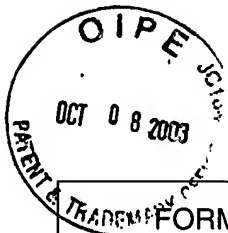
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5.		WO 94/24933	11/1994	PCT			

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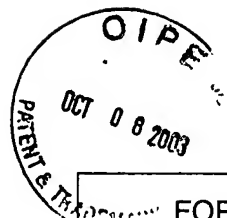
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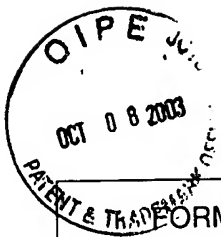
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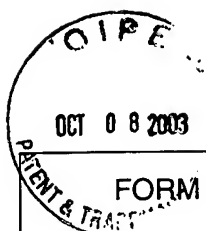
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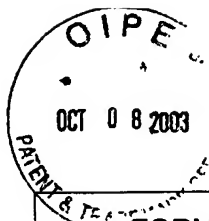
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